

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Alexandria Division)**

In re:

CHAWKY BOUTROS JABALY

Debtor

* * * * *

SOUTHERN MANAGEMENT
CORPORATION RETIREMENT TRUST

Plaintiff / Appellee

v.

CHAWKY BOUTROS JABALY

Defendant / Appellant

* * * * *

**MOTION TO DISMISS APPEAL OF STIPULATED CONSENT JUDGMENT
ENTERING FINAL NON-DISCHARGEABLE JUDGMENT
PURSUANT TO 11 U.S.C. § 523(a)(2)(A) and (B)**

Plaintiff and Appellee Southern Management Corporation Retirement Trust (“SMCRT”) by counsel, Paul Sweeney and Logan, Yumkas, Vidmar & Sweeney, LLC, pursuant to Fed. R. Civ. P. 7, hereby files this Motion to Dismiss Appeal. The grounds for this motion are more particularly set forth in the accompany Memorandum of points and authorities in support of SMCRT’s Motion to Dismiss Appeal filed by Chawky Boutros Jabaly (hereinafter “Jabaly” or “Debtor”)

WHEREFORE, SMCRT respectfully requests that the Court enter an Order: (i) dismissing Debtor’s appeal; (ii) enforcing the Consent Judgment; (iii) entering sanctions against

Debtor and Debtor's attorney pursuant to 28 U.S.C. § 1927; (iv) awarding attorneys' fees to SMCRT in an amount that the Court deems appropriate; and (v) granting such other and further relief as this Court deems just and proper.

Respectfully submitted,

/s/ Paul Sweeney

Paul Sweeney, 33994
Logan, Yumkas, Vidmar & Sweeney, LLC
2530 Riva Road, Suite 400
Annapolis, Maryland 21401
Telephone: (443) 569-5972
Facsimile: (410) 571-2798
psweeney@loganyumkas.com

*Counsel for Southern Management Corporation
Retirement Trust*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT on the 30th day of December, 2011, a copy of Southern Management Corporation Retirement Trust's Motion to Dismiss Appeal of Stipulated Consent Judgment Entering Final Non-Dischargeable Judgment Pursuant to 11 U.S.C. § 523(a)(2)(A) and (B) was served by the Court's CM/ECF system as well as by electronic mail to:

George LeRoy Moran, Esquire
Email: glmoran@moranmonfort.com
Attorney for Defendant

Joseph Peter Drennan, Esquire
Email: joseph@josephpeterdrennan.com
Attorney for Defendant

/s/ Paul Sweeney

Paul Sweeney